

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

LOUISIANA WHOLESALE DRUG CO., INC.,  
On Behalf of Itself and All Others Similarly  
Situated,

Plaintiffs,

v.

SANOFI-AVENTIS, SANOFI-AVENTIS U.S.  
LLC, and AVENTIS PHARMACEUTICALS  
INC.,

Defendants.

Civil No. 07-cv-7343 (HB)

Hon. Harold Baer, U.S.D.J.  
ECF Case

**NOTICE OF VOLUNTARY DISMISSAL**

PLEASE TAKE NOTICE that, pursuant to Federal Rule of Civil Procedure 41(a)(1), and the Agreement between Plaintiff Louisiana Wholesale Drug Co., Inc. ("Louisiana Wholesale") and Defendants sanofi-aventis, sanofi-aventis us llc, and Aventis Pharmaceuticals, Inc., dated February 19, 2008, Louisiana Wholesale hereby dismisses Defendant sanofi-aventis from this action without prejudice.

Dated: February 19, 2008

By: /s/ Anne K. Fornecker  
GARWIN GERSTEIN & FISHER LLP  
Bruce E. Gerstein  
Barry S. Taus  
Anne K. Fornecker (AF-2073)  
1501 Broadway, Suite 1416  
New York, NY 10011  
Tel.: 212-398-0055  
Fax: 212-764-6620

KAPLAN, FOX & KILSHEIMER, LLP  
Richard Kilsheimer  
Linda Nussbaum  
850 Third Avenue, 14<sup>th</sup> Floor  
New York, NY 10022  
Tel: (212) 687-1980

ODOM & DES ROCHES, LLP  
John Gregory Odom  
Stuart E. Des Roches  
Charles F. Zimmer, II  
Suite 2020, Poydras Center  
650 Poydras Street  
New Orleans, LA 70130  
Tel.: 504-522-0077  
Fax: 504-522-0078

PERCY, SMITH & FOOTE, LLP  
David P. Smith  
W. Ross Foote  
Susan C. Segura  
720 Murray Street  
P.O. Box 1632  
Alexandria, LA 71309-1632  
Tel.: 318-445-4480  
Fax: 318-487-1741

BERGER & MONTAGUE, P.C.  
Daniel Berger  
David F. Sorensen  
Peter Russell Kohn  
1622 Locust Street  
Philadelphia, PA 19103  
Tel.: 1-800-424-6690  
Fax: 215-875-4604

KOZYAK, TROPIN &  
THROCKMORTON  
Adam Moskowitz  
Tucker Ronzetti  
2525 Ponce de Leon Blvd., 9th Floor  
Miami, FL 33134  
Tel.: 305-372-1800

PHELPS DUNBAR

Brent Barriere

Susie Morgan

Canal Place, Suite 2000

365 Canal Street

New Orleans, LA 70130-6534

Tel.: 504-568-1311

Fax: 504-568-9130

*Attorneys for Plaintiff Louisiana Wholesale  
Drug Co., Inc.*

**CERTIFICATE OF SERVICE**

I, Anne K. Fornecker, do hereby certify that on February 19, 2008, I served the foregoing NOTICE OF VOLUNTARY DISMISSAL on the following attorneys, in the manner specified below:

***Via ECF Filing***

JONES DAY  
Julia E. McEvoy  
Christopher R. Farrell  
Rosanna K. McCalips  
51 Louisiana Avenue, NW  
Washington DC 20001  
Tel: 202-879-3939  
Fax: 202-626-1700  
[jmcevoy@jonesday.com](mailto:jmcevoy@jonesday.com)  
[crfarrell@jonesday.com](mailto:crfarrell@jonesday.com)  
[rkmccalips@jonesday.com](mailto:rkmccalips@jonesday.com)

JONES DAY  
Samuel Joseph Hand  
222 East 41<sup>st</sup> Street  
New York, New York 10017-6702  
Tel: 212-326-3939  
Fax: 212-755-7306  
[jhand@jonesday.com](mailto:jhand@jonesday.com)

*Attorneys for Defendants sanofi-aventis,  
sanofi-aventis u.s. llc, and Aventis  
Pharmaceuticals, Inc.*

KAPLAN, FOX & KILSHEIMER, LLP  
Linda Nussbaum  
Richard Kilsheimer  
850 Third Avenue, 14<sup>th</sup> Floor  
New York, NY 10022  
Tel: (212) 687-1980  
[rkilsheimer@kaplanfox.com](mailto:rkilsheimer@kaplanfox.com)  
[lnussbaum@kaplanfox.com](mailto:lnussbaum@kaplanfox.com)

KOZYAK, TROPIN & THROCKMORTON  
Adam Moskowitz  
Tucker Ronzetti

2525 Ponce de Leon Blvd., 9<sup>th</sup> Floor  
Miami, FL 33134  
Tel: (305) 372-1800  
[amm@kttlaw.com](mailto:amm@kttlaw.com)  
[tr@kttlaw.com](mailto:tr@kttlaw.com)

ODOM & DES ROCHES, LLP  
John Gregory Odom  
Stuart E. Des Roches  
Charles F. Zimmer, II  
Suite 2020, Poydras Center  
650 Poydras Street  
New Orleans, LA 70130  
Tel: (504) 522-0077  
Fax: (504) 522-0078  
[stuart@odrlaw.com](mailto:stuart@odrlaw.com)  
[czimmer@odrlaw.com](mailto:czimmer@odrlaw.com)

BERGER & MONTAGUE, P.C.  
Daniel Berger  
David F. Sorensen  
Peter R. Kohn  
1622 Locust Street  
Philadelphia, PA 19103  
Tel: 1-800-424-6690  
Fax: (215) 875-4604  
[dsoresen@bm.net](mailto:dsoresen@bm.net)  
[pkohn@bm.net](mailto:pkohn@bm.net)

*Attorneys for Plaintiff Louisiana Wholesale  
Drug Co., Inc.*

***Via Electronic Mail:***

PERCY, SMITH & FOOTE, LLP  
W. Ross Foote  
Susan C. Segura  
720 Murray Street  
P.O. Box 1632  
Alexandria, LA 71309-1632  
Tel: (318) 445-4480  
Fax: (318) 487-1741  
[rfoote@psflp.com](mailto:rfoote@psflp.com)  
[ssegura@psflp.com](mailto:ssegura@psflp.com)

PHELPS DUNBAR  
Brent Barriere  
Susie Morgan  
Canal Place, Suite 2000  
365 Canal Street  
New Orleans, LA 70130-6534  
Tel: 504-568-1311  
Fax: 568-9130  
[susie.morgan@phelps.com](mailto:susie.morgan@phelps.com)

*Attorneys for Plaintiff Louisiana Wholesale  
Drug Co., Inc.*

/s/ Anne Fornecker \_\_\_\_\_  
ANNE K. FORNECKER (AF-2073)  
Garwin Gerstein & Fisher LLP  
1501 Broadway, Suite 1416  
New York, New York 10036  
(Tel): 212-398-0055  
(Fax): 212-764-6620  
[afornecker@garwingerstein.com](mailto:afornecker@garwingerstein.com)